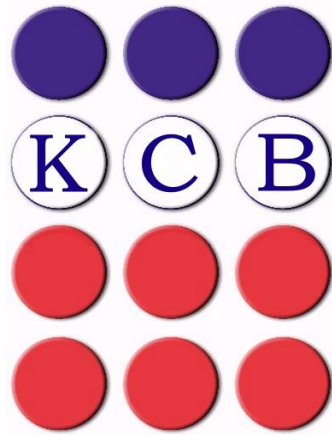




KENSINGTON COLLEGE OF BUSINESS

STUDENT COMPLAINTS PROCEDURE

1 Purpose and Definitions

The College believes that the availability of a clear Complaints Policy underpins its commitment to the quality of the student experience. The College also seeks to minimise the need for student complaints by involving students in formal decision-making processes and drawing on feedback from joint staff-student meetings.

This Procedure covers complaints about:

programmes or facilities provided by the College;

- actions or lack of actions by the College or its staff;
- misleading information in prospectuses or in advertising or promotional material;
- any deficiencies in KCB service or performance (including library services, IT services, attendance monitoring processes, student support services, provision for students with disabilities and any matters relating to the operation of the equal opportunities policies)
- issues of perceived inappropriate conduct or harassment (including discrimination and bullying).

This Procedure does not cover Student Appeals. These are concerned with decisions made by the Examination Board on assessment results or unfair practice only, and are covered in a separate document.

Disciplinary Procedures for Students are also dealt separately as part of the enrolment process, but complaints about the conduct of these procedures themselves can be dealt with through the Student Complaints Procedure.

2 Procedure

Complaints only by students Complaints must be made by students themselves and not by others acting on their behalf, e.g. parents. Complaints may be made by current students, recently withdrawn students (no more than three months prior to lodging the complaint), or recent graduates. The Student Complaints Procedure does not normally cover issues raised by applicants, e.g. negative decisions regarding admission or visa sponsorship. However, existing students seeking admission to a further course and/or additional visa sponsorship may put forward complaints relating to standards of service.

Individual or collective students The Procedure can be used by students for both individual and collective complaints. It is recommended for collective complaints that one student should be identified as spokesperson and correspondent for the group and each member of the group must agree in writing to the spokesperson acting on her/his behalf.

Complaints cannot be anonymous any information given will be treated in the strictest confidence and in accordance with the provisions of the Data Protection Act 1998. Any information relating to third parties will also be treated in confidence and in accordance with

the Act. The information provided will only be used for the purposes of dealing with complaints or for monitoring.

Accompaniment/representation At any meeting which is part of this Procedure, a student who is involved is entitled to be accompanied by a supporter. This person can only be a qualified legal representative with the prior permission of the College.

Time limit all complaints should be made as soon as possible after the event about which the complaint is being made. Any complaints after 12 weeks will not be considered

The **Student Complaints Procedure** has three stages:

1. Informal/Local Stage,
2. Formal Hearing Stage and
3. Board of Director Appeals Panel Stage

3 Stage One: Informal/Local Stage

In the first instance, students are encouraged to discuss the problem with the member of staff most directly concerned. It is anticipated that in most cases this will be sufficient to resolve the complaint to the satisfaction of the student. If the student does not for good reason wish to do this, or does not receive a satisfactory response then s/he should speak or write to the Registrar who will discuss the complaint with the student, assess the situation, take advice from others where necessary, and identify a solution.

If the student is not satisfied with the outcome of the complaint, under Stage One of these procedures, which should be communicated in writing, then s/he may elect to invoke Stage Two (Formal Hearing Stage) within ten working days of notification of the outcome of Stage 1. Alternatively, if the Student has not received a response to her/his complaint under Stage 1 within 20 working days of writing to the Registrar, then s/he may invoke Stage Two (Formal Hearing Stage) once those 20 working days have elapsed.

4 Stage Two Investigation and Formal Hearing Stage

Complaint submission: The complaint should be made in writing to the Principal, by completing a complaint form which can be downloaded from the College website.

The Principal will:

- I. Acknowledge receipt of the formal complaint within five working days;
- II. Offer another opportunity to resolve the matter at a local level;
- III. Provide the student with the Complaints Procedure and will identify the arrangements for conducting an investigation into his/her complaint.

An investigation will be conducted by the Principal or a senior officer of the College nominated by the Principal who has had no previous involvement in the matter.

The aim will normally be to complete the investigation of the complaint within 20 working days. Where the 20 working days deadline cannot be met all parties will be informed of the reason for the delay and kept informed of progress. Following completion of the investigation by the nominated officer, a Panel hearing will be convened.

Only exceptionally will complaints be considered at Stage Two without evidence that a student has attempted resolution through Stage One.

The **Complaints Panel members** will consist of:

- Chair: the Principal (or Chairman if the Principal is the subject of the complaint);
- The Registrar or other senior member of staff;
- One of the team of Student Course Representatives unconnected with the complaint.

All panel members will be independent of the student and his/her subject area and will have no previous involvement in the case.

Complaints Panel Role Following consideration of the written information provided, the Panel

- will invite the student to present his/her case;
- will invite the Investigating Officer to summarise her/his findings and recommendations.
- may seek to interview members of staff, as appropriate.

Where every opportunity has been offered to allow the complainant to attend the Complaints Hearing, but she/he is still not able/declines to attend, or does not respond, the Hearing may proceed without her/his attendance.

The Panel's Decision

Normally, the decision of the Complaints Hearing Panel shall be communicated to the complainant within 5 working days of the hearing. Where it is not possible to adhere to the deadline all parties will be kept informed of progress and provided with reasons for the extension of the timescale.

If the complaint is upheld, the Panel will identify the actions necessary to resolve the matter and will allocate responsibility for ensuring that the remedial action is implemented. The Chair of the Panel will be responsible for ensuring that the remedial action is taken.

If a complaint is not upheld, the complainant will be informed in writing with reasons for its rejection. This will be treated as a completion letter except in the case where the complainant is deemed to have grounds to appeal.

If the student considers there has been an irregularity in terms of how the Panel at Stage Two has conducted its remit, then s/he has 10 working days to make an appeal to the Board of Directors.

5 Stage Three: Appeal to the Board of Directors – Complaints Appeal Panel

The appeal should be sent in writing to the “Chairman, the Board of Directors’ an appeal against Stage Two is only permitted in certain circumstances. The following are examples which may be sufficient to warrant an appeal:

- there was a material irregularity with the conduct of the procedures at Stage 2 ;
- there was not a full disclosure to the Panel of all the matters of fact pertaining to the case;
- there were extenuating circumstances about which the Panel was not aware (only exceptionally would the Panel consider circumstances which a student had previously not submitted as part of the Complaints Procedure).

Any substantive submissions additional to the Statement of Appeal must be provided to the Chairman at least five working days before the meeting of the Panel.

The request for an appeal must be based on the Student's Statement of Appeal, which must:

- a) be in writing, and should identify the basis for the appeal;
- b) be submitted within 10 working days of the date of the letter informing the student of the decision of the Complaints Panel.

Apart from at least two members of the Board of Directors, the Panel will consist of an officer of the College and a Student Representative not previously associated with the complaint. The Stage Three Panel will normally reach its conclusions based on documentary scrutiny only. If, exceptionally, it decides to hold a formal hearing, the Appeal Panel will adopt the procedures described for the Stage Two Complaints Panel, above.

The Appeal Panel may either:

- Uphold the decision of the Complaints Panel (Stage Two); or
- Issue a new ruling taking account of apparent defects in previous procedures and decisions.

The decision of the Appeal Panel will be the last stage of the complaints process within the College and will be final, as indicated in a completion letter. If there has been a parallel or subsequent complaint against one of the College's university partners, the student may however, elect to seek an independent review of his/her complaint through the Office of the Independent Adjudicator if he/she is not satisfied with the treatment of the complaint submitted to the university.

The complainant will be notified in writing within seven days of the outcome of the Appeal Panel in arrangements defined by the Chair of the Panel.

6 Completion of Procedures

Following completion of these procedures, a letter will be issued promptly to the complainant by the Academic Registrar, summarising the issues considered and the final decision reached, except in the case where a complaint has been referred to a university partner.

Next Review Date:
Reviewed By:

July 2019
Academic Board